

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**UNITED STATES OF AMERICA** )

**v.** )

**THIERRY MUSESE** )

**Defendant** )

**DOCKET NO. 2:25-cr-13-SDN**

**DEFENSE MOTION TO PRODUCE IMMIGRATION STATUS OF WITNESSES  
AND INCORPORATED MEMORANDUM OF LAW**

NOW COMES the Defendant, Thierry Musese, by and through counsel, and hereby moves that the Court enter an order that requires the government to provide the immigration status, nationality, and country of birth of each civilian witness. In support of this motion, the Defendant states as follows:

1. Any Federal prosecutor is obligated to follow Brady v. Maryland, 373 U.S. 83 (1963) and its progeny. Fed. R. Crim. P. 5(f).
2. Any prosecutor in Maine “shall” disclose to a Defendant “the existence of evidence or information known to the prosecutor after diligent inquiry and within the prosecutor’s possession or control, that tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the punishment.” M. Bar R. Professional Conduct 3.8(b).
3. Failure to comply with these mandates could result in sanctions (including dismissal).
4. Upon information and belief, several, if not most, of the government witnesses are foreign nationals who are physically in the United States. In light of recent national immigration enforcement activity, the immigration status, nationality, and country of birth of these government witnesses is relevant to their potential trial testimony as it relates to bias or motive to testify in a particular way. Filing false tax returns (26 U.S.C. 7206) is an “aggravated felony” that would make non-citizens deportable. Kawashima v. Holder, 565 U.S. 478 (2012). Finally, there is speculation on the national political scene that “denaturalization” efforts may be instituted against previously naturalized foreign nationals.

WHEREFORE, Defendant prays for an Order requiring the government to produce the immigration status, nationality, and country of birth of each civilian witness.

Dated at Portland, Maine this 13th day of January 2026.

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/s/ Kevin Thorn, Esq.

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